

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) Bankruptcy No. 15-21811 GLT
Apostolos Yialouris a/k/a Paul Yialouris,)
Debtor,) Chapter 13
VW Credit, Inc.,)
Movant,) Related Document No. 58-57
vs.) Response Date: 01/19/17
Apostolos Yialouris a/k/a Paul Yialouris and) Hearing Date: 02/15/17 @ 10:00 a.m.
Ronda J. Winnecour, Trustee,)
Respondent.) Document No.

**DEBTOR'S RESPONSE TO MOVANT'S, VW CREDIT, INC.,
MOTION FOR RELIEF FROM AUTOMATIC STAY**

AND NOW, comes the Debtor, Apostolos Yialouris a/k/a Paul Yialouris, by and through his attorneys, David Z. Valencik and Calaiaro Valencik, and presents the following in opposition to the Motion for Relief From the Stay:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. The Debtor has made regular payments to the Chapter 13 Trustee. After a review of the Chapter 13 payment history, it appears that the Debtor did not make all payments. The Debtor will make additional payments to the Court and file an amended plan to cure the remainder of the arrearage prior to the hearing on this Motion.

7. Admitted.

8. Denied.

9. The Debtor has made payments since the filing of this Motion and the Trustee has disbursed \$6,579.16 to the Movant.

10. Denied; the Trustee has received payments since the filing of this Motion. The Debtor denies that the amount listed in paragraph 10 is due. The Debtor will make additional payments and file an amended plan to cure any arrearage.

11. Denied; the Trustee has received payments since the filing of this Motion. The Debtor denies that the balance listed in paragraph 11 is due. The Debtor will make additional payments and file an amended plan to cure any arrearage.

12. Denied; the Debtor denies that the amount listed in paragraph 12 is the fair market value for the vehicle. The Debtor requests strict proof of this valuation at trial. By way of further averment, this vehicle is the Debtors only vehicle and only transportation. This vehicle is necessary for the Debtor's reorganization.

13. The Debtor has made additional payments since the filing of this Motion. The Debtor will make payments prior to the hearing on this Motion. The Debtor will file an amended plan to cure any remaining arrearage prior to the hearing on this Motion.

14. The Debtor denies that cause exists to lift the stay. This vehicle is the Debtors only vehicle and only transportation. This vehicle is necessary for the Debtor's reorganization. By way of further averments, the Debtor has made additional payments since the filing of this Motion. The Debtor will make payments prior to the hearing on this

Motion. The Debtor will file an amended plan to cure any remaining arrearage prior to the hearing on this Motion

WHEREFORE, the Debtor requests that the Court Deny this Motion.

Respectfully submitted,

DATED: January 19, 2017

BY: /s/ David Z. Valencik
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**CERTIFICATE OF SERVICE OF DEBTOR'S RESPONSE TO MOVANT'S, VW
CREDIT, INC., MOTION FOR RELIEF FROM AUTOMATIC STAY**

I certify under penalty of perjury that I served the above captioned pleading on the parties at the addresses specified below or on the attached list on January 19, 2017.

Service by First Class Mail:

James C. Warmbrodt, Esquire, KML Law Group, P.C., BNY Independence Center, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1532

Apostolos Yialouris aka Paul Yialouris, 819 Sherwood Road, Pittsburgh, PA 15221

Service by NEF:

Ronda J. Winnecour, Suite 3250, USX Tower, 600 Grant Street, Pittsburgh, PA 15219

Office of the United States Trustee, 1001 Liberty Avenue, Pittsburgh, PA 15222-3721

The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) was: First Class Mail or Electronic Notification.

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the names and addresses of parties served by electronic notice will be listed under the heading "Service by Electronic Notification," and those served by mail will be listed under the heading "Service by First-Class Mail."

EXECUTED ON: 01/19/17

/s/ David Z. Valencik
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